

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)	
)	
)	
v.)	No. 1:05-cr-36
)	Chief Judge Curtis L. Collier
)	
FRANKLIN WOODS)	

ORDER

On December 14, 2005, during a hearing before this Court, the Court ordered Defendant Franklin Woods (“Defendant”) to undergo a mental competency evaluation. An Order of Commitment for Mental Evaluation was filed on April 19, 2006 to determine: (1) the defendant’s mental competency to stand trial and (2) sanity at the time of the offense. The matter was referred to United States Magistrate Judge William B. Carter.

On October 20, 2006, Judge Carter held a psychiatric report hearing, where Dr. Karen Milliner, forensic psychologist with the Federal Medical Facility in Lexington, Kentucky (“FMC Lexington”) testified concerning the forensic report prepared by herself and signed by Dr. Michael Helvey, Ph.D., Chief Psychologist at FMC Lexington. The report established Defendant is not experiencing mental deficits severe enough to preclude his competency to proceed. Further, the doctors concluded the defendant was not suffering from a significantly reduced mental capacity contributing substantially to the commission of the alleged offenses.

After carefully reviewing the pleadings, the medical evidence and hearing the testimony of Dr. Milliner, Judge Carter recommended the Court find the defendant competent to stand trial. Defendant has not filed any objections to Judge Carter’s report and recommendation.

Therefore, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Court File No. 123) pursuant to 28 U.S.C. § 636(b)(1)(C), and hereby **ORDERS** Defendant is competent to stand trial.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE